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REPORT OF THE SECRETARY-GENERAL CONCERNING THE SITUATION IN ABKHAZIA, GEORGIA

I. INTRODUCTION

1. In its resolution 1255 (1999) of 30 July 1999, the Security Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 January 2000, subject to a review by the Council of the mandate of UNOMIG in the event of any changes that may be made in the mandate or in the presence of the peacekeeping force of the Commonwealth of Independent States (CIS). It also requested that I continue to keep the Council regularly informed, and that I report on the situation in Abkhazia, Georgia, three months from the date of the adoption of the resolution. The present report describes the situation as at mid-October 1999.

2. Pending the assumption of duty by my new Special Representative for Georgia and Head of UNOMIG, Dieter Boden (see S/1999/1079 and S/1999/1080), Liviu Bota continued to serve in this function on a non-resident basis. In that capacity he visited the mission area from 11 to 17 September. Mr. Bota was assisted in his tasks by the Chief Military Observer, Major General Tariq Waseem Ghazi (Pakistan), who also acted as Officer-in-Charge of the mission in Mr. Bota's absence. The strength of UNOMIG, as at mid-October 1999, stood at 101 military observers (see annex).

II. POLITICAL ASPECTS

3. On 20 September 1999, I discussed important aspects of the peace process, including the political status of Abkhazia, Georgia, with the President of Georgia, Eduard Shevardnadze, who had come to New York to address the General Assembly. The President welcomed the intention of my Special Representative to submit later this year, for the consideration of the two sides, proposals relating to the distribution of constitutional competences between Tbilisi and Sukhumi.

4. The ninth session of the Coordinating Council, which had originally been planned for 30 July, has been postponed indefinitely. During consultations in late July and September, the Georgian side stressed to my Special Representative

that it might be more beneficial to convene the Council at a later time. Meanwhile, the intensity and scope of direct contacts between the Georgian and Abkhaz sides has accelerated, including a meeting in Moscow on 4 August between Georgian State Minister Vazha Lordkipanidze and Abkhaz leader Vladislav Ardzinba, and a meeting in Tbilisi on 21 September between Mr. Lordkipanidze and Anri Jergenia, Personal Representative of Mr. Ardzinba to the peace process. As a result, both sides have reported progress on a draft agreement addressing the return of refugees and internally displaced persons to the Gali district in its old borders and measures for the economic rehabilitation of Abkhazia, Georgia.

5. In mid-September, Mr. Ardzinba wrote to President Shevardnadze to express concern about the possible deterioration of the security situation on the ground. The Georgian side responded readily to Mr. Ardzinba's proposal. Accordingly, the respective heads of the defence, internal affairs and security structures of the two sides met on 21 September in Tbilisi for an open and frank discussion. The Chief Military Observer of UNOMIG and the Commander of the CIS peacekeeping force, Major General Sergei Korobko, also participated in that meeting.

6. On the basis of the discussions held in June 1999 during the Istanbul meeting of the Georgian and Abkhaz sides on confidence-building measures (see S/1999/805, paras. 6 and 7) and following numerous high-level direct telephone contacts, a number of detainees held by each side were exchanged at the main bridge over the Inguri River on 8 September. My Special Representative continues to call on the two sides to effect a full exchange of detainees on an "all-for-all" basis. In the economic and cultural spheres, positive developments during the reporting period included the travel by a group of 20 Georgian and 20 Abkhaz children to summer camp in the United States of America, where I received them in New York on 5 August; the convening of a meeting in Sochi of Georgian and Abkhaz elders and war veterans and the restoration by the Georgiafilm studio of films shot in Abkhazia at various times during the century. In addition, a meeting organized in September in Tbilisi, with the assistance of UNOMIG, brought winemakers from the Georgian and Abkhaz sides close to an agreement on cooperation in the production and sale of wine. It is envisaged that another meeting on confidence-building measures will be convened before the end of the year in Yalta, at the invitation of the Government of Ukraine.

7. Progress in the peace process was slow in part because of the campaign for the Georgian parliamentary elections, scheduled for 31 October.. Furthermore, the Abkhaz side held "presidential elections" on 3 October, in which Mr. Ardzinba ran unopposed. Simultaneously, the Abkhaz held a referendum on the Abkhaz "Constitution" of 26 November 1994. It will be recalled in this connection that the Security Council, in its resolution 1255 (1999), considered "unacceptable and illegitimate the holding of self-styled elections", in the absence of the majority of the population of Abkhazia, Georgia. On 12 October 1999, the Abkhaz de facto parliament adopted a document entitled "Act on State Independence of the Republic of Abkhazia".

III. OPERATIONS OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA

8. Since I last reported to the Security Council on 20 July 1999 (see S/1999/805), UNOMIG has continued to carry out its mandate based on the concept of "limited patrolling". The team bases remain closed since the overall situation has still not improved sufficiently to justify a permanent presence in isolated locations. However, the Chief Military Observer is making contingency plans to reoccupy those sites in the Gali and Zugdidi sectors should the current encouraging security trends there continue. Given the recent hostage-taking incident in the Kodori Valley (see para. 18), the team site there will have to remain closed until adequate security measures are in place.

9. UNOMIG has continued to take the lead in the joint investigations of violent incidents. To date, 13 investigations have been conducted in which UNOMIG, the CIS peacekeeping force and/or the respective offices of the Prosecutor on the Georgian and Abkhaz sides were represented. In addition, UNOMIG has facilitated a regular exchange of information between the two offices. Although it is a positive sign that both sides are prepared to work together to improve law enforcement, a formal protocol should be concluded so that this becomes a permanent feature of their relations, rather than one based only on ad hoc decisions.

10. UNOMIG has pursued vigorously the implementation of the agreements on the separation of forces reached at the session of Working Group I of the Coordination Council held in Tbilisi on 25 June 1999 (see S/1999/805, paras. 21 and 22). While the original deadline of 10 July 1999 for carrying out these measures has not been met, the main obligations have by now largely been fulfilled after significant pressure from UNOMIG. As a result, UNOMIG has noticed a steady improvement in mutual confidence between the sides, making direct bilateral contacts at the lower levels possible as well. The outstanding issue of an agreement on acceptable levels of law enforcement personnel within the security zone continues to be pursued and needs to be resolved as soon as possible.

11. The deployment to the Mission in July 1999 of a second helicopter has provided increased capacity for the operational, medical evacuation and administrative needs of UNOMIG and significantly enhanced the flexibility of the Mission's access to remote and hitherto unvisited areas. When one helicopter was damaged and rendered inoperable during the recent hostage-taking incident, the second helicopter proved to be of critical importance.

12. Road resurfacing and bridge repair work in the lower Gali area are continuing. As a result, access to the ceasefire line in this area has improved substantially, which has recently enabled UNOMIG to send ground patrols to villages that had not been visited since December 1998. Further road and bridge repair work is planned, to increase operational access and improve logistic lines between the two sectors by making additional routes available. In addition, new helicopter landing sites have provided greater support for patrols operating in those important areas.

13. Following the relocation of the UNOMIG logistics base headquarters from Pitsunda to Zugdidi, the military personnel of the Zugdidi sector have also moved into the new premises. This has already resulted in improvements to the overall efficiency of the sector and the Mission as a whole.

IV. SITUATION ON THE GROUND

14. The strength of the forces directly confronting each other on both sides of the ceasefire line decreased noticeably during the reporting period. As a result, cross-border firing remained at a very low level in comparison with the situation a year ago. The general level of calm along the line was also facilitated by agreements between lower-level force commanders and local administrators to maintain order, especially during the hazelnut harvest, usually a very tense period. However, as the harvest season drew to a close, several ambushes of Abkhaz security personnel along the ceasefire line were reported.

15. The Georgian armed forces conducted a large-scale live ammunition exercise from 6 to 10 September at the Kulevi Training Area, within and adjacent to the restricted weapons zone. Through the good offices of the Chief Military Observer, they agreed to complete transparency in the planning and execution of the exercise. The Abkhaz authorities reacted by announcing that they would hold their own exercise, also in the Restricted Weapons Zone, but eventually rescinded their decision following the personal intervention of the Chief Military Observer. During these events, the issue of the delineation of the boundaries of the restricted weapons zone was again raised. The Georgian and Abkhaz sides and the Russian Federation as facilitator should provide UNOMIG with authentic maps clearly indicating these boundaries.

16. During the reporting period, there was an increase in the number of violations of the Moscow Agreement (see S/1994/583/Corr.1, annex I). The majority of these continue to relate to the deployment of prohibited small arms on both sides which, however, does not give cause for serious concern. There has also been a slight increase, on both sides of the ceasefire line, in the number of restrictions imposed upon the Mission's freedom of movement and access for UNOMIG patrols. UNOMIG continues to protest about these violations of the Moscow Agreement at appropriate levels, but the general response remains inadequate.

17. Although some attacks on security personnel on both sides did occur over the past months, criminality was the main cause of most of the security-related problems during the reporting period. Most of the violent incidents recorded were assessed to have been carried out by criminal elements motivated by economic gain. On the Abkhaz side, law enforcement structures remain unable to combat either the criminal or the terrorist elements operating in the area, especially in the lower Gali region. The Abkhaz authorities have attempted to extend their authority in the security field by encouraging villages to form self-defence units, composed of local residents armed with their own weapons, which are to be formally registered with the Gali administration. However, such an arrangement places local residents in a difficult position since they generally believe that registering a self-defence unit with the Abkhaz

authorities is likely to provoke negative reactions from "partisan" groups. On the whole, the two sides have so far failed to effectively check, or cooperate in preventing, the activities of criminals and armed groups. The establishment of effective law enforcement throughout the zone of conflict remains a priority task for both sides.

18. The situation in the Kodori Valley had been calm until the kidnapping for ransom by armed individuals of seven UNOMIG personnel on patrol in the Georgian-controlled part of the valley on 13 October 1999. All seven UNOMIG personnel were eventually released unconditionally by 15 October after negotiations led by senior officials of the Government of Georgia. In the aftermath of the incident, doubts were expressed about the jurisdiction of UNOMIG; this issue needs to be resolved expeditiously in order to enable UNOMIG to carry out its mandate without restrictions. A decision on whether to reopen the team base will be taken only after the comprehensive review of the security situation currently under way is completed.

V. SECURITY SITUATION

19. The security and safety of UNOMIG personnel remains one of the Mission's highest priorities. The improvement in road conditions and the introduction of the new helicopter have increased the safety of UNOMIG patrols when deployed in the Gali and Zugdidi sectors.

20. The most serious security-related incident aimed at UNOMIG during the reporting period was the hostage taking of 13 October in the Kodori Valley mentioned above. In addition, a grenade was thrown over the fence of the newly opened Zugdidi office on 26 September 1999; the incident, fortunately, resulted in no casualties and only minor material damage. It was assessed that this was an isolated attack, with no clear motive, and its timing (after midnight) suggests that it was not intended to cause injury to personnel.

21. On several occasions during the reporting period, Georgian local law enforcement officials have responded promptly upon receiving information concerning possible threats to the security of UNOMIG, by informing UNOMIG and offering assistance. The valuable role of the Georgian authorities in resolving the 13 October hostage taking has already been mentioned. Abkhaz law enforcement officials have also been cooperative, particularly in the aftermath of a fatal car accident on 27 September, in which UNOMIG was involved.

VI. COOPERATION OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA AND THE COLLECTIVE PEACEKEEPING FORCE OF THE COMMONWEALTH OF INDEPENDENT STATES

22. The working relationship between UNOMIG and the CIS peacekeeping force remains good and close liaison is maintained at all levels. Regular exercises are conducted to maintain a high degree of readiness for security back-up, and information of mutual interest is regularly exchanged. The Commander of the CIS peacekeeping force placed a helicopter and personnel on standby during the recent hostage-taking incident in case assistance would be required.

23. Although it continued to operate primarily from static checkpoints, the CIS peacekeeping force conducted more extensive mobile patrols during the reporting period, particularly in the lower Gali area. It also increased its cooperation with the local forces on both sides of the ceasefire line. With UNOMIG encouragement, the peacekeeping force has been proactive in ensuring that the dismantling of the military positions of the two sides, in accordance with the agreements made on 25 June 1999, was completed satisfactorily, and it has actively participated in joint investigations. Apart from the explosion of an old mine accidentally detonated during the resurfacing of the Tagiloni-Nabakevi road, in which three soldiers and a civilian were injured, the CIS peacekeeping force suffered no casualties during the reporting period.

24. Late in August, the Government of Georgia agreed to support the extension of the mandate of the CIS peacekeeping force for a period of six months. The mandate must still be formally extended by a decision of the CIS heads of State. The Georgian side has expressed its confidence that this step will encourage the peacekeeping force to carry out its mission with more vigour and determination, and there are indications from the CIS peacekeeping force itself that this would indeed be the case.

VII. HUMANITARIAN SITUATION AND HUMAN RIGHTS

25. Recent periods of calm on the ground in the Gali district have had no fundamental effect on the human rights situation. There has been no change in the language policy in the schools with predominantly Georgian-speaking students, where Georgian is taught a limited number of hours and the language of instruction in the first four grades continues to be Russian. Such a policy may encourage members of the local returnee population to remain for now in residence on the Zugdidi side of the ceasefire line. The United Nations Human Rights office in Abkhazia, Georgia, continues to monitor reports from some local residents of apartment evictions and violations of the right of property. The office is energetically pursuing reported cases of harassment through local law enforcement authorities.

26. Visiting Georgia from 4 to 7 September, the United Nations High Commissioner for Refugees, Sadako Ogata, expressed dismay about the politicization of the plight of persons displaced from Abkhazia, Georgia, many of whom live in grim conditions. Without backing down from the principle of the imprescriptible right of refugees and displaced persons to return home, she urged President Shevardnadze and the Government of Georgia to do everything in their power to improve conditions for internally displaced persons, and to provide them with the social and legal rights necessary to develop a capacity for self-reliance. While the Office of the United Nations High Commissioner for Refugees (UNHCR) continues its monitoring activities in the Gali district, it will not provide substantial material assistance until the Georgian and Abkhaz sides have concluded agreements which could allow the creation of proper security conditions for return.

27. During the reporting period, feeding and agricultural programmes were carried out by both Acción contra el Hambre and the International Committee of the Red Cross (ICRC). In the medical sector, ICRC and Médecins sans

Frontières-France, with some assistance from Première Urgence, and the Adventist Development and Relief Agency, with some help from Counterpart International, provided supplies and conducted training for medical professionals. In the social field, the United Nations Volunteers continue to support the non-governmental organization support centre in Sukhumi; the United Methodist Committee on Relief has expanded the activities of its Youth House Project, with programmes in Tbilisi and Zugdidi, as well as in Sukhumi; and an Abkhaz non-governmental organization, "Peace and Accord", financed by UNHCR, is carrying out psychosocial rehabilitation for vulnerable persons. The Halo Trust has actively continued its mine-clearance and mine-awareness programmes. The Office for the Coordination of Humanitarian Affairs continues to monitor the overall humanitarian situation in Georgia.

VIII. SOCIAL AND ECONOMIC ASPECTS

28. The general economic situation in Georgia remained relatively stable during the reporting period, but the economy has not yet recovered from the market slowdown that began in 1998. The exchange rate remains volatile, the export sector remains weak, and the level of investment is still low. One of the greatest difficulties faced by the Government of Georgia - its inability to collect all taxes owed - has resulted in part in the continued delay in payment of salaries and pensions during the reporting period.

29. The socio-economic picture in Abkhazia, Georgia, remains bleak, and without prospects for immediate change. Some of the region is affected again this year by a drought that has reduced the expected harvest. Wage-earning opportunities remain almost non-existent, and the level of petty crime is high. Demographically, the population continues to dwindle, as those with any means or connections seek jobs or education elsewhere.

IX. OBSERVATIONS

30. My recent meeting with President Shevardnadze has reinforced my conviction that, in the search for a comprehensive settlement of the Georgian/Abkhaz dispute, efforts should be strengthened to achieve progress on the core question of the conflict, namely, the political status of Abkhazia. In this regard, my Special Representative will work closely with the Russian Federation, in its capacity as facilitator, the Organization for Security and Cooperation in Europe and the Group of Friends of the Secretary-General before submitting proposals to both sides.

31. The acceleration of bilateral contacts at all levels between the Georgian and Abkhaz sides is a welcome development. The implementation of projects agreed upon at the Athens and Istanbul meetings of the Georgian and Abkhaz sides has built visible bridges in an increasing array of fields and has had a larger resonance through positive coverage by the mass media of both sides. Such efforts should continue. It is envisaged that the next major step could be the convening later this year in Yalta, at the invitation of the Government of Ukraine, of a third meeting on confidence-building measures.

32. Parallel to the increasing bilateral contacts, the established mechanisms of the Geneva process - particularly the Coordinating Council and its working groups - should continue to meet regularly in accordance with their statute, regardless of the constraints of domestic politics. They provide a direct avenue for active participation in the peace process by the international community, on whom the sides can call for support when difficulties are encountered and when agreements are to be implemented.

33. The continuing displacement of thousands of people, years after the end of active hostilities, is especially distressing. The Georgian and Abkhaz sides need to take, in the nearest future, the first concrete step towards the full return to Abkhazia, Georgia, of refugees and internally displaced persons in safe, secure and dignified conditions, by agreeing on and signing a document providing for their return to the Gali district in its old borders and measures for the economic rehabilitation of Abkhazia.

34. While the security situation has slightly improved in the Gali and Zugdidi sectors and the number of incidents there has decreased, the hostage-taking incident of 13 October in the Kodori Valley has once again shown the precariousness of the situation in which UNOMIG operates. The steps taken by the Georgian authorities, which ensured the unconditional release of the hostages were highly appreciated, as was the readiness of the CIS peacekeeping force to help in any way the Chief Military Observer deemed useful. I am confident that the Government of Georgia will take the necessary legal action to bring the perpetrators to justice. UNOMIG is keeping its security arrangements under constant review in order to ensure the highest possible level of security for its staff.

35. As the members of the Security Council are aware, I have now appointed Dieter Boden (Germany) as my Special Representative for Georgia. Mr. Boden will assume his new position in the near future. Until then, I have asked Liviu Bota, who has meanwhile returned to the service of his Government, to continue as my Special Representative, in a non-resident capacity. I am grateful to the Government of Romania for agreeing to this arrangement.

36. I would like to take this opportunity to again pay tribute to the men and women of UNOMIG for their dedication in carrying out the tasks entrusted to them by the Security Council under difficult, and at times dangerous, conditions.

Annex

Composition of the United Nations Observer Mission in Georgia as at mid-October 1999

Country	Military observers
Albania	1
Austria	5
Bangladesh	7
Czech Republic	4
Denmark	5
Egypt	3
France	3
Germany	10
Greece	4
Hungary	7
Indonesia	4
Jordan	6
Pakistan	6
Poland	4
Republic of Korea	3
Russian Federation	3
Sweden	5
Switzerland	4
Turkey	5
United Kingdom of Great Britain and Northern Ireland	7
Uruguay	3
United States of America	2
Total	101

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